

To: Bearden, Jeremiah@ARB[Jeremiah.Bearden@arb.ca.gov]
Cc: Kaul, Meetu[Kaul.Meetu@epa.gov]; Belser, Evan[Belser.Evan@epa.gov]
From: Tozzi, Lauren[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=98ACF7F50923404D9491D4F885D34C27-TOZZI, LAUREN]
Sent: Wed 9/2/2020 9:57:22 PM (UTC)
Subject: RE: Monthly EPA/CARB Mobile Source Coordination Call
[20200806 Borla Amended Complaint.pdf](#)
[GBZ - Motion & Memo for PI \(Stamped\).pdf](#)

Hi Jeremiah,

Here are the latest EPA case updates for our call tomorrow:

- GReddy Performance Products: Region 9 settled with Respondent, a motor vehicle parts manufacturer and distributor based in California, on July 22, 2020. Between 2016 and 2018, Respondent sold 231 aftermarket exhaust systems designed to defeat the emissions control systems of gasoline-powered cars. The overall penalty amount of \$60,000 results in a per violation penalty of \$260. Respondent must also comply with injunctive relief in the form of a compliance plan. Region 9 published a press release on this case closure, available [here](#). (Contact: David Kim, Region 9) Also, EPA issued a press release for this settlement on 7/23/20: [U.S. EPA settles with Irvine, Calif., manufacturer for selling illegal "defeat device" pollution-control bypass equipment](#).
- Global Automotive of Miami: On August 10, 2020, Region 4 resolved this ESA with Respondent for 52 violations of Section 203(a)(3)(B) of the Clean Air Act for the sale of defeat devices. The overall penalty amount of \$37,588 results in a per violation penalty of \$722. Respondent must also comply with injunctive relief in the form of a compliance plan. (Contact: Todd Groendyke & Rosalyn Hughes-Fairley, Region 4)
- Mountain Power Performance: On August 10, 2020, Region 4 resolved this ESA with Respondent for 39 violations of Section 203(a)(3) of the Clean Air Act. Of these violations, nearly a dozen were violations of Section 203(a)(3)(A) for tampering with motor vehicles, and the remaining 28 violations were for the sale of defeat devices under Section 203(a)(3)(B). Due to Respondent's inability to pay a higher penalty, the total penalty amount was only \$500. Respondent must also comply with injunctive relief in the form of a compliance plan. (Contact: Bill Squier, Martha Hamre, & Carol Kemker, Region 4)
- Powerstroke Enginuties: This CAFO was ratified by a Region 5 Regional Judicial Officer on August 12, 2020. Respondent is a retailer and installer of aftermarket parts in Texas, with a specialization in heavy-duty diesel truck products. Between September 1, 2015 and June 22, 2018, Respondent sold at least 1,648 parts or components and installed at least 1,223 parts or components on motor vehicles where a principal effect of each part or component was to disable, remove, bypass, defeat, or render inoperative air pollution emission control systems installed on or in diesel-powered motor vehicles and motor vehicle engines. The penalty amount of \$55,000 was calculated based on Respondent's inability to pay. Respondent must also comply with injunctive relief in the form of a compliance plan, destroy all defeat devices in stock and provide video proof of such destruction, and contact customers and offer to return their vehicles to stock at no cost. Respondent must submit biannual reports to EPA on several parameters for two years. (Contact: Ethan Chatfield & Cody Yarborough, Region 5)
- **GearboxZ**: Motion for Preliminary Injunction filed August 20, 2020 (attached)
- **Borla**: administrative complaint filed on August 6, 2020 (attached)

Looking forward to talking with you,

Lauren

Lauren Tozzi, Attorney-Advisor
Team Leader for Aftermarket Parts
Air Enforcement Division, EPA
(202) 503-8911

-----Original Appointment-----

From: Bearden, Jeremiah@ARB <Jeremiah.Bearden@arb.ca.gov>

Sent: Friday, May 15, 2020 9:15 PM

To: Bearden, Jeremiah@ARB; Yacoubian, Lisa@ARB; Ratliff, Gretchen@ARB; Zeng, Tony@ARB; Hermano, Dean@ARB; Banaga, Marco@ARB; Pham, Allen@ARB; Biasotti, Nathan@ARB; Aramouni, Clair@ARB; Blanton, Erin@ARB; Helgren, Ken@ARB; Trinh, Duong@ARB; Gunn, Martin@ARB; Fowler, John@ARB; Livingston, Aron@ARB; Kiyota, Diane@ARB; May, Abigail@ARB; Lourenco, Jackie@ARB; Pryor, Kimberly@ARB; Mead, Kathleen@ARB; Belser, Evan; Tozzi, Lauren; Caballero, Kathryn; Kaul, Meetu; Jorquera, Mario; Meisenbach, Caitlin; Keenan, John; Brahmbhatt, Roshni; Trombadore, Claire; Chan, Janice; Alkon, Margaret; Shepherdson,

ED_006381_00008073-00001

Melanie; Dancher, Nathan; Galer, Rose; Binder, Gregory@ARB; Quiros, Heather@ARB

Subject: Monthly EPA/CARB Mobile Source Coordination Call

When: Thursday, September 03, 2020 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: ARB Conference Room 109 (Depot Park); ARB Conference Room 3-108 (VTC) (AN3)

Join Microsoft Teams Meeting

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